

COMMISSIONER FOR PATENT UNITED STATES PATENT AND TRADEMARK OFFIC WASHINGTON, D.C. 20231

MAILED

Paper No. 8

- <u>- 1 2 20</u>03

Owen J. Meegan 65 Dearborn Street Salem, MA 01970

OFFICE OF DIRECTOR GROUP

In re Application of:

ZHU et al.

Application No. 09/627,841

Filed: July 28, 2000

Attorney Docket No. MEW1855/055

DECISION ON PETITION TO WITHDRAW HOLDING OF ABANDONMENT

This is a decision on the petition filed April 21, 2003. The petition has been treated as a petition under 37 CFR § 1.181, to withdraw the holding of abandonment in the above application. No petition fee is required.

The petition to withdraw the holding of abandonment is **GRANTED**.

The application was held abandoned for the failure timely file a response to an Office action mailed on August 29, 2002. A Notice of Abandonment was mailed on March 26, 2003.

Petitioner asserts that on February 28, 2003, a response was filed. In support of this assertion, petitioner has submitted a copy of the response and a copy of the itemized postcard receipt bearing a date stamp of receipt in the United States Patent and Trademark Office of March19, 2003 of an amendment and a check for \$920.

A review of the application file reveals the above noted response was not matched with the application file wrapper at the time of mailing of the Notice of Abandonment. The above identified response filed February 28, 2003 has since been located and matched with the file wrapper.

For the above stated reason, the petition is granted. The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. The application is restored to pending status.

The application file is being forwarded to the Technology Center 2800 support staff for processing the response. From there, the application will be forwarded to the examiner for taking appropriate action.

Inquiries regarding this decision should be directed to Clayton E. LaBalle at (703) 308-0519.

Clayton E. LaBalte, Special Programs Examiner

Technology Center 2800

Semiconductors, Electrical and Optical Systems and Components